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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

WINCKLER

Serial No.: 10/677,188

Filed: October 1, 2003

Atty. File No.: 4933-1

For: "TOWING HITCH ASSEMBLY"

MS Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

) Group Art Unit: 3611

) Examiner: Lerner, Avraham

) RESPONSE TO RESTRICTION  
) REQUIREMENT

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA VA 22313-1450 ON OCTOBER 14, 2004.

SHERIDAN ROSS P.C.

BY: Constance R. Smith

Dear Sir:

Applicant submits this Response to Restriction Requirement to address the Office Action mailed on September 17, 2004. No fees are believed to be due in connection with the filing of this Response; in the event fees are due, please debit Deposit Account No. 19-1970.

REMARKS

In a first Office Action mailed September 17, 2004, the Examiner issued a Restriction Requirement under 35 U.S.C. §121. Specifically, the Examiner concludes that this application contains claims directed to two patently distinct species (Species A and B) of the claimed invention. The Examiner did not state whether there were generic claims.

Applicant respectfully submits that Species A, as defined by the Examiner, is represented by all of the pending claims, and that Species B, as defined by the Examiner, is represented by at least independent Claims 1, 19 and 27.

Therefore, without taking a position on whether restriction would be appropriate here, Applicant elects Species A, which Applicant believes is represented by Claims 1-27.

Applicant submits that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: \_\_\_\_\_



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Date: \_\_\_\_\_

October 14, 2004